

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**
ROBERT W. JOHNSON,

Plaintiff,

**5:22-cv-389
(GLS/ML)**

v.

**WATERVLIET HOUSING
AUTHORITY et al.,**

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:
ROBERT W. JOHNSON
Pro Se
112 Court St.
Apt. 2
Watertown, NY 13601

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following an Order and Report-Recommendation (R&R) by Magistrate Judge Miroslav Lovric, duly filed May 31, 2022. (Dkt. No. 6.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections¹ having been filed, and the court having reviewed the R&R for clear error, it is hereby

ORDERED that the Order and Report-Recommendation (Dkt. No. 6) is **ADOPTED** in its entirety; and it is further

ORDERED that plaintiff is directed to file a notice of change of address or verify his address on the docket within thirty (30) days of this order; and it is further

ORDERED that plaintiff's complaint (Dkt. No. 1) is **DISMISSED** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B) **with leave to replead** as to defendants Watervliet Housing Authority, John McAvoy, Jr., Jami Bodo, Jean Knight, Regina Warner, Matthew J. Ethier, Criminal History Record Search, Jane Hayes, and Paul Murphy; and it is further

ORDERED that plaintiff's complaint (Dkt. No. 1) is **DISMISSED** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B) **without leave to replead** against defendant New

¹ On June 14, 2022, plaintiff's copy of the R&R was returned to sender "Attempted - Not Known." (Dkt. No. 7.) On May 17, 2022, plaintiff executed a pro se notice that warned he must immediately notify the Court of any change of address consistent with N.D.N.Y. L.R. 10.1(c)(2), and that his failure to notify the court of a change of address could result in the involuntary dismissal of his case for failure to prosecute pursuant to Fed. R. Cv. p. 41(b) and N.D.N.Y. L.R. 41.2(b). (Dkt. No. 5.)

York State Unified Court System because it seeks monetary relief against a defendant who is immune from such relief pursuant to 28 U.S.C.

§ 1915(e)(2)(B); and it is further

ORDERED that any amended complaint shall be filed within thirty (30) days of this order; and it is further

ORDERED that, if plaintiff files an amended complaint, it must be a complete and separate pleading. Plaintiff must state all of his claims in the amended pleading and may not incorporate by reference, any part of his original complaint; and it is further

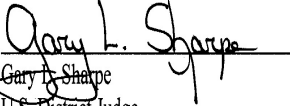
ORDERED that, if plaintiff files an amended complaint, such proposed amended complaint will be referred to the Magistrate Judge for initial review; and it is further

ORDERED that, if plaintiff fails to file an amended complaint within the time permitted, the clerk is directed to close this case without further order of the court; and it is further

ORDERED that the Clerk provide a copy of this Order to plaintiff in accordance with the Local Rules of Practice.

IT IS SO ORDERED.

July 15, 2022
Albany, New York


Gary L. Sharpe
U.S. District Judge